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IN THE UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,  
  
Plaintiff,  
  
v.  
  
JUSTIN GRAY,  
  
Defendant.

CASE NO. 1:20-CR-00238 JLT  
  
STIPULATION AND JOINT REQUEST FOR  
PROTECTIVE ORDER; PROTECTIVE ORDER

**STIPULATION**

1. Plaintiff United States of America, by and through its undersigned attorneys of record, and defendant Justin Gray, by and through his undersigned attorneys of record (“Defense Counsel”), for the reasons set forth below, hereby stipulate, agree, and jointly request that the Court enter a Protective Order in this case restricting the use and dissemination of certain materials related to the jury that the Court has ordered to be produced.

2. On July 22, 2025, Chief United States Judge Troy L. Nunley ordered that certain jury materials be produced to the defense. ECF No. 1982 (the “Discovery Order”). By the Discovery Order, the Court granted in part, and denied in part, defendant Justin Gray’s Motion for Disclosure of Jury Materials.

1           3.       This Court may enter protective orders pursuant to Rule 16(d) of the Federal Rules of  
2 Criminal Procedure, Local Rule 141.1, and its general supervisory authority.

3           4.       The Court's Discovery Order made clear that all names and identifying information  
4 contained in the grand jury records was to be redacted before production, and contained provisions for  
5 the protection of the jury material it ordered to be produced to the defense. ECF No. 1982, at 9-11.

6           5.       The parties here seek a protective order extending those same, or similar, protections to  
7 the jury material to be disclosed per the Court's Discovery Order. The parties therefore request that the  
8 Court order the following additional limitations for any jury materials produced in compliance with the  
9 Discovery Order:

- 10           • The materials may be used only in connection with the preparation or litigation of a motion  
11           challenging jury selection procedures. The materials may not be used in connection with  
12           any other case. Nor may they be used for jury selection, at trial or for any other purpose in  
13           this case.
- 14           • The materials may be used only by counsel or standby counsel, their legal staff, and their  
15           retained experts. Defendant shall not review or possess the materials at any time without the  
16           court's prior approval on a detailed showing of good cause. Nor may the materials be  
17           carried into or reviewed in any detention facility or the permanent or temporary residence or  
18           business of any defendant without this court's prior approval on a detailed showing of good  
19           cause.
- 20           • Under 28 U.S.C. § 1867(f), the materials may not be disclosed, shown or distributed in any  
21           manner to any third party. "Any person who discloses the contents of any record or paper in  
22           violation of" § 1867(f), and, by extension, of this order, "may be fined not more than \$1,000  
23           or imprisoned not more than one year, or both." *Id.* Violations of this order may also result  
24           in sanctions or a finding of contempt.
- 25           • Any attorney who accesses the materials is personally responsible not only for personally  
26           complying with this order, but also for the attorney's client's compliance with this order and  
27           for compliance by any expert, contractor, or member of the attorney's staff.
- 28           • At the commencement of jury selection, unless modified by order of the Court, all materials

disclosed in response to this order either (a) must be returned to the court, or (b) all counsel, staff and experts must certify in a written notice filed on the docket of this action that the materials have been destroyed and no materials have been retained in any duplicative form.

- If any disclosed materials are later determined to disclose personal identifying information, the party making this determination must immediately notify the court in a written notice filed on the docket of this action. Anyone who has received that material must immediately return, destroy or delete the materials in question and file a written certification of compliance on the docket of this action.

KIMBERLY A. SANCHEZ  
Acting United States Attorney

Dated: July 25, 2025

By: /s/ Stephanie M. Stokman  
STEPHANIE M. STOKMAN  
Assistant United States Attorney

Dated: July 25, 2025

By: /s/ TIMOTHY FOLEY  
TIMOTHY FOLEY  
JAMES S. THOMSON  
Counsel for Defendant  
JUSTIN GRAY

### ORDER

The Court having reviewed and considered the Stipulation and Joint Request for a Protective Order, which this Court incorporates by reference into this Order, hereby finds that good cause exists to enter the above as its Order and impose the protections listed.

IT IS SO ORDERED.

Dated: August 4, 2025

/s/ Sheila K. Oberto  
UNITED STATES MAGISTRATE JUDGE